

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
First Regular Session  
2003

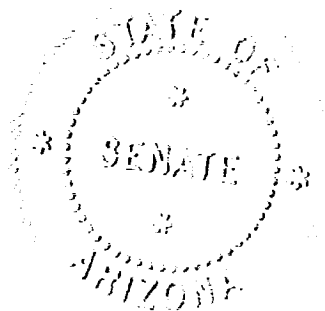
CHAPTER 137

## HOUSE BILL 2429

AN ACT

AMENDING TITLE 44, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 16;  
RELATING TO SOCIAL SECURITY NUMBERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, chapter 9, Arizona Revised Statutes, is amended  
3 by adding article 16, to read:

4 ARTICLE 16. CONFIDENTIALITY OF SOCIAL SECURITY NUMBERS

5 44-1376. Restricted use of social security numbers; definition

6 A. EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY LAW, BEGINNING ON  
7 JANUARY 1, 2005, A PERSON OR ENTITY SHALL NOT:

8 1. INTENTIONALLY COMMUNICATE OR OTHERWISE MAKE AN INDIVIDUAL'S SOCIAL  
9 SECURITY NUMBER AVAILABLE TO THE GENERAL PUBLIC.

10 2. PRINT AN INDIVIDUAL'S SOCIAL SECURITY NUMBER ON ANY CARD REQUIRED  
11 FOR THE INDIVIDUAL TO RECEIVE PRODUCTS OR SERVICES PROVIDED BY THE PERSON OR  
12 ENTITY.

13 3. REQUIRE THE TRANSMISSION OF AN INDIVIDUAL'S SOCIAL SECURITY NUMBER  
14 OVER THE INTERNET UNLESS THE CONNECTION IS SECURE OR THE SOCIAL SECURITY  
15 NUMBER IS ENCRYPTED.

16 4. REQUIRE THE USE OF AN INDIVIDUAL'S SOCIAL SECURITY NUMBER TO ACCESS  
17 AN INTERNET WEB SITE, UNLESS A PASSWORD OR UNIQUE PERSONAL IDENTIFICATION  
18 NUMBER OR OTHER AUTHENTICATION DEVICE IS ALSO REQUIRED TO ACCESS THE SITE.

19 5. PRINT AN INDIVIDUAL'S SOCIAL SECURITY NUMBER ON ANY MATERIALS THAT  
20 ARE MAILED TO THE INDIVIDUAL, UNLESS STATE OR FEDERAL LAW REQUIRES THE SOCIAL  
21 SECURITY NUMBER TO BE ON THE DOCUMENT TO BE MAILED. THIS PARAGRAPH DOES NOT  
22 PROHIBIT THE MAILING OF DOCUMENTS THAT INCLUDE SOCIAL SECURITY NUMBERS SENT  
23 AS PART OF AN APPLICATION OR ENROLLMENT PROCESS OR TO ESTABLISH, AMEND OR  
24 TERMINATE AN ACCOUNT, CONTRACT OR POLICY OR TO CONFIRM THE ACCURACY OF THE  
25 SOCIAL SECURITY NUMBER.

26 B. NOTWITHSTANDING SUBSECTION A, A PERSON OR ENTITY THAT BEFORE  
27 JANUARY 1, 2005 USED AN INDIVIDUAL'S SOCIAL SECURITY NUMBER IN A MANNER  
28 INCONSISTENT WITH SUBSECTION A MAY CONTINUE USING THAT INDIVIDUAL'S SOCIAL  
29 SECURITY NUMBER IN THAT MANNER ON AND AFTER JANUARY 1, 2005 SUBJECT TO THE  
30 FOLLOWING CONDITIONS:

31 1. THE USE OF THE SOCIAL SECURITY NUMBER MUST BE CONTINUOUS. IF THE  
32 USE IS STOPPED FOR ANY REASON, SUBSECTION A APPLIES.

33 2. BEGINNING IN 2005, THE PERSON OR ENTITY MUST PROVIDE THE INDIVIDUAL  
34 WITH AN ANNUAL WRITTEN DISCLOSURE OF THE INDIVIDUAL'S RIGHT TO STOP THE USE  
35 OF THE SOCIAL SECURITY NUMBER IN A MANNER PROHIBITED BY SUBSECTION A.

36 3. IF THE INDIVIDUAL REQUESTS IN WRITING, THE PERSON OR ENTITY MUST  
37 STOP USING THE SOCIAL SECURITY NUMBER IN A MANNER PROHIBITED BY SUBSECTION  
38 A WITHIN THIRTY DAYS AFTER RECEIVING THE REQUEST. NO FEE OR CHARGE IS  
39 ALLOWED FOR IMPLEMENTING THE REQUEST, AND THE PERSON OR ENTITY SHALL NOT DENY  
40 SERVICES TO THE INDIVIDUAL BECAUSE OF THE REQUEST.

41 C. THIS SECTION DOES NOT PROHIBIT THE COLLECTION, USE OR RELEASE OF  
42 A SOCIAL SECURITY NUMBER AS REQUIRED BY THE LAWS OF THIS STATE OR THE UNITED  
43 STATES OR FOR INTERNAL VERIFICATION OR ADMINISTRATIVE PURPOSES.

1 D. BEGINNING ON JANUARY 1, 2005, THIS STATE OR ANY POLITICAL  
2 SUBDIVISION OF THIS STATE SHALL NOT USE AN INDIVIDUAL'S SOCIAL SECURITY  
3 NUMBER ON STATE ISSUED OR POLITICAL SUBDIVISION ISSUED FORMS OF  
4 IDENTIFICATION.

5 E. FOR PURPOSES OF THIS SECTION, "INDIVIDUAL" MEANS A RESIDENT OF THIS  
6 STATE.

7 44-1376.01. Exceptions

8 THIS ARTICLE DOES NOT APPLY TO:

9 1. THE USE OF SOCIAL SECURITY NUMBERS BY AN AGENCY OF THIS STATE OR  
10 BY A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE, EXCEPT  
11 THAT ALL AGENCIES OF THIS STATE AND ALL POLITICAL SUBDIVISIONS MUST COMPLY  
12 WITH SECTION 44-1376, SUBSECTION A, PARAGRAPHS 2 AND 5.

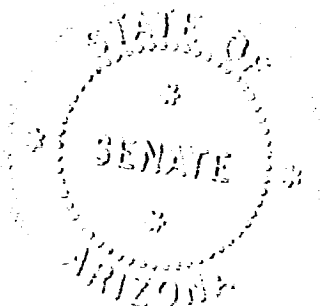
13 2. DOCUMENTS OR RECORDS THAT ARE RECORDED OR REQUIRED TO BE OPEN TO  
14 THE PUBLIC PURSUANT TO THE CONSTITUTION OR LAWS OF THIS STATE OR BY COURT  
15 RULE OR ORDER, AND THIS ARTICLE DOES NOT LIMIT ACCESS TO THESE DOCUMENTS OR  
16 RECORDS.

17 Sec. 2. Compliance date

18 Insurers, health care services organizations, hospital, medical, dental  
19 or optometric service corporations, or prepaid dental plan organizations  
20 shall comply with the provisions of section 1 of this act for all new  
21 contracts, policies, evidences of coverage and subscription agreements that  
22 are issued on or after January 1, 2005, but for contracts, policies,  
23 evidences of coverage and subscription agreements in existence before January  
24 1, 2005, section 1 is effective on renewal, but no later than January 1,  
25 2006.

APPROVED BY THE GOVERNOR MAY 1, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2003.



Passed the House March 4, 2003

Passed the Senate April 8, 2003

by the following vote: 57 Ayes,

by the following vote: 30 Ayes,

0 Nays, 3 Not Voting

0 Nays, 0 Not Voting

Jake Flake  
Speaker of the House

Kelli Bennett  
President of the Senate

Norman L. Moore  
Chief Clerk of the House

Channing Billington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2429

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 28, 2003,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

Jake Flake  
Speaker of the House  
Herman L. Tyoore  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

28 day of April, 2003

at 2:30 o'clock P. M.

Sandra Ramirez  
Secretary to the Governor

Approved this 1 day of

May, 2003,

at 5:00 o'clock P. M.

J. N. ...  
Governor of Arizona

H.B. 2429

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 2 day of May, 2003

at 3:32 o'clock P. M.

Janice K. Brewer  
Secretary of State